



# RULE-MAKING ORDER

(RCW 34.05.360)

CR-103 (7/22/01)

Agency: Washington State Patrol

- ☐ Permanent Rule  
☒ Emergency Rule  
☐ Expedited Rule Making

(1) Date of adoption: May 14, 2004

(2) Purpose: To clarify and amend rules defining the dates of fireworks purchase, possession, and discharge. To add rules for the issuance of fines and citations.

(3) Citation of existing rules affected by this order:

Repealed:

Amended: WAC 212-17-060 (revised), WAC 212-17-480, 485, 490, 495, 500, 505, 510, 515, 520, 525, 530, 535, 540 (added)

Suspended:

(4) Statutory authority for adoption: RCW 43.43 and 70.77

Other Authority:

## PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR \_\_\_\_\_ on \_\_\_\_\_ (date).

Describe any changes other than editing from proposed to adopted version:

## EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- ☒ (a) That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- ☐ (b) That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding: These rules need to be in effect by June 28, 2004, the date in which fireworks sales begin, in accordance with RCW 70.77.395. Since the rules pertain to fireworks discharge, they are necessary for public safety.

(5.3) Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?:

- ☒ Yes ☐ No If Yes, explain: The rule changes must be in effect by the start of fireworks sales.

(6) Effective date of rule:

### Permanent Rules

- ☐ 31 days after filing  
☐ Other (specify) \_\_\_\_\_ \*

### Emergency Rules

- ☒ Immediately  
☐ Later (specify) \_\_\_\_\_

\*(If less than 31 days after filing, specific finding in 5.3 under RCW 34.05.380(3) is required)

Name (Type or Print)

Lowell M. Porter

Signature

Title

Chief

Date

5-17-04

## CODE REVISER USE ONLY

CODE REVISER'S OFFICE  
STATE OF WASHINGTON  
FILED

MAY 18 2004

TIME \_\_\_\_\_ AM/PM \_\_\_\_\_

WSR \_\_\_\_\_

(COMPLETE REVERSE SIDE)

**Note: If any category is left blank, it will be calculated as zero.  
No descriptive text.**

Count by whole WAC sections only, from the WAC number through the history note.  
A section may be counted in more than one category.

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	<u>13</u>	Amended	<u>1</u>	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____